

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RODNEY FERRER,

Plaintiff,

- v -

Civ. No. 9:14-CV-1370
(GTS/DJS)

STEVEN RACETTE, *et al.*,

Defendants.

APPEARANCES:

OFFICE OF JESSICA M. GORMAN

Attorney for Plaintiff

74 Chapel Street, 2d Floor

Albany, NY 12207

HON. ERIC T. SCHNEIDERMAN

Attorney General of the State of New York

Attorney for Defendants Racette, Kelly,

Goodman, Waite, and Jenkins

The Capitol

Albany, New York 12224

LAMARCHE, SAFRANKO LAW FIRM

Attorney for Defendant Fraizer

1539 Crescent Road

P.O. Box 5437

Clifton Park, NY 12065

HARRIS, CONWAY LAW FIRM

Attorney for Defendant Livermore

The Patroon Building

5 Clinton Square

Albany, NY 12207

OF COUNSEL:

JESSICA M. GORMAN,
ESQ.

CATHY Y. SHEEHAN, ESQ.
Assistant Attorney General

ANDREW R. SAFRANKO,
ESQ.

RYAN T. DONOVAN, ESQ.

LIPPE MATHIAS WEXLER FRIEDMAN LLP
Attorney for Defendants and Counter Claimants
Beecher, Burch, and McClenning
54 State Street, Suite 1001
Albany, NY 12207

JEFFREY P. MANS, ESQ.

DANIEL J. STEWART
UNITED STATES MAGISTRATE JUDGE

ORDER

As part of the Court's discovery conference held on June 8, 2016, counsel for the Defendants were instructed to provide to chambers the personnel files for their clients at the earliest possible date. Dkt. No. 68. On July 24, 2016, the personnel file for Defendant Jeremy Burch was reviewed by the Court.


The *in camera* review of Defendant Burch's personnel file reflected one set of documents that may possibly be used for impeachment purposes, or as part of the supervisory claim. When retrieving the personnel file, Defendant's Counsel Jeffrey Mans shall make a copy of the twenty total pages from the personnel file which have been tagged and paper clipped together by the Court. Counsel shall redact any information regarding the Defendant's date of birth, home address, and social security number. The redacted copies shall be provided to the Plaintiff's counsel, with copies to the counsel for the remaining Defendants. Because of the nature and circumstances of the case, and the specific needs of the correctional facility, the Plaintiff's counsel is directed not to provide copies of the disclosed portions of the personnel file to the Plaintiff. However, counsel is not barred from discussing the content of the documents with her client.

The Court directs that the Defendant's Counsel immediately retrieve from the Court's courtroom deputy, Maria Blunt, the Burch personnel file.

IT IS SO ORDERED.

Date: July 24, 2016

Albany, New York



Daniel J. Stewart
U.S. Magistrate Judge